



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB5213

Introduced 01/24/06, by Rep. Careen M Gordon

SYNOPSIS AS INTRODUCED:

625 ILCS 5/3-616	from Ch. 95 1/2, par. 3-616
625 ILCS 5/11-209	from Ch. 95 1/2, par. 11-209
625 ILCS 5/11-1301.1	from Ch. 95 1/2, par. 11-1301.1
625 ILCS 5/11-1301.3	from Ch. 95 1/2, par. 11-1301.3
625 ILCS 5/11-1301.4	from Ch. 95 1/2, par. 11-1301.4
625 ILCS 5/11-1301.5	
625 ILCS 5/11-1301.6	
815 ILCS 365/2	from Ch. 121 1/2, par. 1502

Amends the Illinois Vehicle Code. Provides that a licensed physician or qualified physician assistant or advanced practice nurse, if he or she certifies that an applicant is eligible for disability license plates or a disability parking decal or device, may issue that applicant a temporary disability parking pass, which the applicant may use for 30 days or until he or she receives disability parking plates or a disability parking decal or device, whichever is earlier. Provides that the Secretary of State shall issue these temporary parking passes to licensed physicians and qualified physician assistants and advanced practice nurses upon request and without charge and shall adopt rules for implementing the provision. Makes corresponding changes in other provisions of the Vehicle Code and the Motor Fuel Sales Act. Provides that it is a violation of the Code to possess, issue, manufacture, or transfer a fictitious or fraudulent temporary disability parking pass or to alter a temporary pass or to provide false information to obtain a pass. Imposes the same penalties as apply to fictitious or fraudulent disability license plates and parking devices.

LRB094 17078 DRH 52360 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 3-616, 11-209, 11-1301.1, 11-1301.3, 11-1301.4,
6 11-1301.5, and 11-1301.6 as follows:

7 (625 ILCS 5/3-616) (from Ch. 95 1/2, par. 3-616)

8 Sec. 3-616. Disability license plates; temporary parking
9 pass.

10 (a) Upon receiving an application for a certificate of
11 registration for a motor vehicle of the first division or for a
12 motor vehicle of the second division weighing no more than
13 8,000 pounds, accompanied with payment of the registration fees
14 required under this Code from a person with disabilities or a
15 person who is deaf or hard of hearing, the Secretary of State,
16 if so requested, shall issue to such person registration plates
17 as provided for in Section 3-611, provided that the person with
18 disabilities or person who is deaf or hard of hearing must not
19 be disqualified from obtaining a driver's license under
20 subsection 8 of Section 6-103 of this Code, and further
21 provided that any person making such a request must submit a
22 statement, certified by a licensed physician, by a physician
23 assistant who has been delegated the authority to make this
24 certification by his or her supervising physician, or by an
25 advanced practice nurse who has a written collaborative
26 agreement with a collaborating physician that authorizes the
27 advanced practice nurse to make this certification, to the
28 effect that such person is a person with disabilities as
29 defined by Section 1-159.1 of this Code, or alternatively
30 provide adequate documentation that such person has a Class 1A,
31 Class 2A or Type Four disability under the provisions of
32 Section 4A of the Illinois Identification Card Act. For

1 purposes of this Section, an Illinois Disabled Person
2 Identification Card issued pursuant to the Illinois
3 Identification Card Act indicating that the person thereon
4 named has a disability shall be adequate documentation of such
5 a disability.

6 (b) The Secretary shall issue plates under this Section to
7 a parent or legal guardian of a person with disabilities if the
8 person with disabilities has a Class 1A or Class 2A disability
9 as defined in Section 4A of the Illinois Identification Card
10 Act or is a person with disabilities as defined by Section
11 1-159.1 of this Code, and does not possess a vehicle registered
12 in his or her name, provided that the person with disabilities
13 relies frequently on the parent or legal guardian for
14 transportation. Only one vehicle per family may be registered
15 under this subsection, unless the applicant can justify in
16 writing the need for one additional set of plates. Any person
17 requesting special plates under this subsection shall submit
18 such documentation or such physician's, physician assistant's,
19 or advanced practice nurse's statement as is required in
20 subsection (a) and a statement describing the circumstances
21 qualifying for issuance of special plates under this
22 subsection.

23 (c) The Secretary may issue a parking decal or device to a
24 person with disabilities as defined by Section 1-159.1 without
25 regard to qualification of such person with disabilities for a
26 driver's license or registration of a vehicle by such person
27 with disabilities or such person's immediate family, provided
28 such person with disabilities making such a request has been
29 issued a Disabled Person Identification Card indicating that
30 the person named thereon has a Class 1A or Class 2A disability,
31 or alternatively, submits a statement certified by a licensed
32 physician, or by a physician assistant or an advanced practice
33 nurse as provided in subsection (a), to the effect that such
34 person is a person with disabilities as defined by Section
35 1-159.1.

36 (c-5) A licensed physician, or a physician assistant or

1 advanced practice nurse as provided in subsection (a), when he
2 or she certifies a statement that a person is a person with
3 disabilities as defined in Section 1-159.1 of this Code, may
4 issue that person a temporary disability parking pass, which
5 shall be provided by the Secretary of State and signed and
6 dated by the physician, physician assistant, or advanced
7 practice nurse. A person issued a temporary parking pass under
8 this subsection (c-5) may use the pass for 30 days or until he
9 or she receives disability license plates or a disability
10 parking decal or device under this Section or Section
11 11-1301.2, whichever is earlier. The Secretary shall provide
12 these temporary passes to any licensed physician, and to a
13 physician assistant or advanced practice nurse as provided in
14 subsection (a), upon request and without charge. The Secretary
15 shall adopt rules for implementing this subsection (c-5).

16 (d) The Secretary shall prescribe by rules and regulations
17 procedures to certify or re-certify as necessary the
18 eligibility of persons whose disabilities are other than
19 permanent for special plates or parking decals or devices
20 issued under subsections (a), (b) and (c). Except as provided
21 under subsection (f) of this Section, no such special plates,
22 decals or devices shall be issued by the Secretary of State to
23 or on behalf of any person with disabilities unless such person
24 is certified as meeting the definition of a person with
25 disabilities pursuant to Section 1-159.1 or meeting the
26 requirement of a Type Four disability as provided under Section
27 4A of the Illinois Identification Card Act for the period of
28 time that the physician, or the physician assistant or advanced
29 practice nurse as provided in subsection (a), determines the
30 applicant will have the disability, but not to exceed 6 months
31 from the date of certification or recertification.

32 (e) Any person requesting special plates under this Section
33 may also apply to have the special plates personalized, as
34 provided under Section 3-405.1.

35 (f) The Secretary of State, upon application, shall issue
36 disability registration plates or a parking decal to

1 corporations, school districts, State or municipal agencies,
2 limited liability companies, nursing homes, convalescent
3 homes, or special education cooperatives which will transport
4 persons with disabilities. The Secretary shall prescribe by
5 rule a means to certify or re-certify the eligibility of
6 organizations to receive disability plates or decals and to
7 designate which of the 2 person with disabilities emblems shall
8 be placed on qualifying vehicles.

9 (g) The Secretary of State, or his designee, may enter into
10 agreements with other jurisdictions, including foreign
11 jurisdictions, on behalf of this State relating to the
12 extension of parking privileges by such jurisdictions to
13 permanently disabled residents of this State who display a
14 special license plate or parking device or temporary parking
15 pass that contains the International symbol of access on his or
16 her motor vehicle, and to recognize such plates, ~~or~~ devices, or
17 passes issued by such other jurisdictions. This State shall
18 grant the same parking privileges which are granted to disabled
19 residents of this State to any non-resident whose motor vehicle
20 is licensed in another state, district, territory or foreign
21 country if such vehicle displays the international symbol of
22 access or a distinguishing insignia on license plates or a
23 parking device or temporary parking pass issued in accordance
24 with the laws of the non-resident's state, district, territory
25 or foreign country.

26 (Source: P.A. 93-182, eff. 7-11-03; 94-619, eff. 1-1-06.)

27 (625 ILCS 5/11-209) (from Ch. 95 1/2, par. 11-209)

28 Sec. 11-209. Powers of municipalities and counties -
29 Contract with school boards, hospitals, churches, condominium
30 complex unit owners' associations, and commercial and
31 industrial facility, shopping center, and apartment complex
32 owners for regulation of traffic.

33 (a) The corporate authorities of any municipality or the
34 county board of any county, and a school board, hospital,
35 church, condominium complex unit owners' association, or owner

1 of any commercial and industrial facility, shopping center, or
2 apartment complex which controls a parking area located within
3 the limits of the municipality, or outside the limits of the
4 municipality and within the boundaries of the county, may, by
5 contract, empower the municipality or county to regulate the
6 parking of automobiles and the traffic at such parking area.
7 Such contract shall empower the municipality or county to
8 accomplish all or any part of the following:

9 1. The erection of stop signs, flashing signals, person
10 with disabilities parking area signs or yield signs at
11 specified locations in a parking area and the adoption of
12 appropriate regulations thereto pertaining, or the
13 designation of any intersection in the parking area as a
14 stop intersection or as a yield intersection and the
15 ordering of like signs or signals at one or more entrances
16 to such intersection, subject to the provisions of this
17 Chapter.

18 2. The prohibition or regulation of the turning of
19 vehicles or specified types of vehicles at intersections or
20 other designated locations in the parking area.

21 3. The regulation of a crossing of any roadway in the
22 parking area by pedestrians.

23 4. The designation of any separate roadway in the
24 parking area for one-way traffic.

25 5. The establishment and regulation of loading zones.

26 6. The prohibition, regulation, restriction or
27 limitation of the stopping, standing or parking of vehicles
28 in specified areas of the parking area.

29 7. The designation of safety zones in the parking area
30 and fire lanes.

31 8. Providing for the removal and storage of vehicles
32 parked or abandoned in the parking area during snowstorms,
33 floods, fires, or other public emergencies, or found
34 unattended in the parking area, (a) where they constitute
35 an obstruction to traffic, or (b) where stopping, standing
36 or parking is prohibited, and for the payment of reasonable

1 charges for such removal and storage by the owner or
2 operator of any such vehicle.

3 9. Providing that the cost of planning, installation,
4 maintenance and enforcement of parking and traffic
5 regulations pursuant to any contract entered into under the
6 authority of this paragraph (a) of this Section be borne by
7 the municipality or county, or by the school board,
8 hospital, church, property owner, apartment complex owner,
9 or condominium complex unit owners' association, or that a
10 percentage of the cost be shared by the parties to the
11 contract.

12 10. Causing the installation of parking meters on the
13 parking area and establishing whether the expense of
14 installing said parking meters and maintenance thereof
15 shall be that of the municipality or county, or that of the
16 school board, hospital, church, condominium complex unit
17 owners' association, shopping center or apartment complex
18 owner. All moneys obtained from such parking meters as may
19 be installed on any parking area shall belong to the
20 municipality or county.

21 11. Causing the installation of parking signs in
22 accordance with Section 11-301 in areas of the parking lots
23 covered by this Section and where desired by the person
24 contracting with the appropriate authority listed in
25 paragraph (a) of this Section, indicating that such parking
26 spaces are reserved for persons with disabilities.

27 12. Contracting for such additional reasonable rules
28 and regulations with respect to traffic and parking in a
29 parking area as local conditions may require for the safety
30 and convenience of the public or of the users of the
31 parking area.

32 (b) No contract entered into pursuant to this Section shall
33 exceed a period of 20 years. No lessee of a shopping center or
34 apartment complex shall enter into such a contract for a longer
35 period of time than the length of his lease.

36 (c) Any contract entered into pursuant to this Section

1 shall be recorded in the office of the recorder in the county
2 in which the parking area is located, and no regulation made
3 pursuant to the contract shall be effective or enforceable
4 until 3 days after the contract is so recorded.

5 (d) At such time as parking and traffic regulations have
6 been established at any parking area pursuant to the contract
7 as provided for in this Section, then it shall be a petty
8 offense for any person to do any act forbidden or to fail to
9 perform any act required by such parking or traffic regulation.
10 If the violation is the parking in a parking space reserved for
11 persons with disabilities under paragraph (11) of this Section,
12 by a person without special registration plates issued to a
13 person with disabilities, as defined by Section 1-159.1,
14 pursuant to Section 3-616 of this Code, or to a disabled
15 veteran pursuant to Section 3-609 of this Code, and without a
16 valid temporary disability parking pass issued under Section
17 3-616, the local police of the contracting corporate municipal
18 authorities shall issue a parking ticket to such parking
19 violator and issue a fine in accordance with Section 11-1301.3.

20 (e) The term "shopping center", as used in this Section,
21 means premises having one or more stores or business
22 establishments in connection with which there is provided on
23 privately-owned property near or contiguous thereto an area, or
24 areas, of land used by the public as the means of access to and
25 egress from the stores and business establishments on such
26 premises and for the parking of motor vehicles of customers and
27 patrons of such stores and business establishments on such
28 premises.

29 (f) The term "parking area", as used in this Section, means
30 an area, or areas, of land near or contiguous to a school,
31 church, or hospital building, shopping center, apartment
32 complex, or condominium complex, but not the public highways or
33 alleys, and used by the public as the means of access to and
34 egress from such buildings and the stores and business
35 establishments at a shopping center and for the parking of
36 motor vehicles.

1 (g) The terms "owner", "property owner", "shopping center
2 owner", and "apartment complex owner", as used in this Section,
3 mean the actual legal owner of the shopping center parking area
4 or apartment complex, the trust officer of a banking
5 institution having the right to manage and control such
6 property, or a person having the legal right, through lease or
7 otherwise, to manage or control the property.

8 (g-5) The term "condominium complex unit owners'
9 association", as used in this Section, means a "unit owners'
10 association" as defined in Section 2 of the Condominium
11 Property Act.

12 (h) The term "fire lane", as used in this Section, means
13 travel lanes for the fire fighting equipment upon which there
14 shall be no standing or parking of any motor vehicle at any
15 time so that fire fighting equipment can move freely thereon.

16 (i) The term "apartment complex", as used in this Section,
17 means premises having one or more apartments in connection with
18 which there is provided on privately-owned property near or
19 contiguous thereto an area, or areas, of land used by occupants
20 of such apartments or their guests as a means of access to and
21 egress from such apartments or for the parking of motor
22 vehicles of such occupants or their guests.

23 (j) The term "condominium complex", as used in this
24 Section, means the units, common elements, and limited common
25 elements that are located on the parcels, as those terms are
26 defined in Section 2 of the Condominium Property Act.

27 (k) The term "commercial and industrial facility", as used
28 in this Section, means a premises containing one or more
29 commercial and industrial facility establishments in
30 connection with which there is provided on privately-owned
31 property near or contiguous to the premises an area or areas of
32 land used by the public as the means of access to and egress
33 from the commercial and industrial facility establishment on
34 the premises and for the parking of motor vehicles of
35 customers, patrons, and employees of the commercial and
36 industrial facility establishment on the premises.

1 (1) The provisions of this Section shall not be deemed to
2 prevent local authorities from enforcing, on private property,
3 local ordinances imposing fines, in accordance with Section
4 11-1301.3, as penalties for use of any parking place reserved
5 for persons with disabilities, as defined by Section 1-159.1,
6 or disabled veterans by any person using a motor vehicle not
7 bearing registration plates specified in Section 11-1301.1, ~~or~~
8 a special decal or device as defined in Section 11-1301.2, or a
9 temporary parking pass issued under Section 3-616 as evidence
10 that the vehicle is operated by or for a person with
11 disabilities or disabled veteran.

12 This amendatory Act of 1972 is not a prohibition upon the
13 contractual and associational powers granted by Article VII,
14 Section 10 of the Illinois Constitution.

15 (Source: P.A. 89-551, eff. 1-1-97; 90-106, eff. 1-1-98; 90-145,
16 eff. 1-1-98; 90-481, eff. 8-17-97; 90-655, eff. 7-30-98.)

17 (625 ILCS 5/11-1301.1) (from Ch. 95 1/2, par. 11-1301.1)

18 Sec. 11-1301.1. Persons with disabilities - Parking
19 privileges - Exemptions. A motor vehicle bearing registration
20 plates issued to a person with disabilities, as defined by
21 Section 1-159.1, pursuant to Section 3-616, or to a disabled
22 veteran pursuant to Section 3-609, or a special decal or device
23 issued pursuant to Section 3-616 or pursuant to Section
24 11-1301.2 of this Code, or a temporary parking pass issued
25 under Section 3-616, or a motor vehicle registered in another
26 jurisdiction, state, district, territory or foreign country
27 upon which is displayed a registration plate, special decal or
28 device issued by the other jurisdiction designating the vehicle
29 is operated by or for a person with disabilities shall be
30 exempt from the payment of parking meter fees and exempt from
31 any statute or ordinance imposing time limitations on parking,
32 except limitations of one-half hour or less, on any street or
33 highway zone, or any parking lot or parking place which are
34 owned, leased or owned and leased by a municipality or a
35 municipal parking utility; and shall be recognized by state and

1 local authorities as a valid license plate or parking device
2 and shall receive the same parking privileges as residents of
3 this State; but, such vehicle shall be subject to the laws
4 which prohibit parking in "no stopping" and "no standing" zones
5 in front of or near fire hydrants, driveways, public building
6 entrances and exits, bus stops and loading areas, and is
7 prohibited from parking where the motor vehicle constitutes a
8 traffic hazard, whereby such motor vehicle shall be moved at
9 the instruction and request of a law enforcement officer to a
10 location designated by the officer. Any motor vehicle bearing
11 registration plates or a special decal or device or temporary
12 pass specified in this Section or in Section 3-616 of this Code
13 or such parking device as specifically authorized in Section
14 11-1301.2 as evidence that the vehicle is operated by or for a
15 person with disabilities or disabled veteran may park, in
16 addition to any other lawful place, in any parking place
17 specifically reserved for such vehicles by the posting of an
18 official sign as provided under Section 11-301. Parking
19 privileges granted by this Section are strictly limited to the
20 person to whom the special registration plates, special decal
21 or device, or temporary pass was ~~were~~ issued and to qualified
22 operators acting under his express direction while the person
23 with disabilities is present. A person to whom privileges were
24 granted shall, at the request of a police officer or any other
25 person invested by law with authority to direct, control, or
26 regulate traffic, present an identification card with a picture
27 as verification that the person is the person to whom the
28 special registration plates, special decal or device, or
29 temporary pass was issued.

30 Such parking privileges granted by this Section are also
31 extended to motor vehicles of not-for-profit organizations
32 used for the transportation of persons with disabilities when
33 such motor vehicles display the decal or device issued pursuant
34 to Section 11-1301.2 of this Code.

35 No person shall use any area for the parking of any motor
36 vehicle pursuant to Section 11-1303 of this Code or where an

1 official sign controlling such area expressly prohibits
2 parking at any time or during certain hours.

3 (Source: P.A. 90-106, eff. 1-1-98.)

4 (625 ILCS 5/11-1301.3) (from Ch. 95 1/2, par. 11-1301.3)

5 Sec. 11-1301.3. Unauthorized use of parking places
6 reserved for persons with disabilities.

7 (a) It shall be prohibited to park any motor vehicle which
8 is not properly displaying registration plates or decals or a
9 valid temporary parking pass issued to a person with
10 disabilities, as defined by Section 1-159.1, pursuant to
11 Sections 3-616, 11-1301.1 or 11-1301.2, or to a disabled
12 veteran pursuant to Section 3-609 of this Act, as evidence that
13 the vehicle is operated by or for a person with disabilities or
14 disabled veteran, in any parking place, including any private
15 or public offstreet parking facility, specifically reserved,
16 by the posting of an official sign as designated under Section
17 11-301, for motor vehicles displaying such registration
18 plates. It shall be prohibited to park any motor vehicle in a
19 designated access aisle adjacent to any parking place
20 specifically reserved for persons with disabilities, by the
21 posting of an official sign as designated under Section 11-301,
22 for motor vehicles displaying such registration plates. When
23 using the parking privileges for persons with disabilities, the
24 parking decal or device or temporary parking pass must be
25 displayed properly in the vehicle where it is clearly visible
26 to law enforcement personnel, either hanging from the rearview
27 mirror or placed on the dashboard of the vehicle in clear view.
28 Any motor vehicle properly displaying a disability license
29 plate or a parking decal or device or temporary parking pass
30 containing the International symbol of access issued to persons
31 with disabilities by any local authority, state, district,
32 territory or foreign country shall be recognized by State and
33 local authorities as a valid license plate, ~~or~~ device, or
34 temporary pass and receive the same parking privileges as
35 residents of this State.

1 (a-1) An individual with a vehicle displaying disability
2 license plates, ~~or~~ a parking decal or device, or a temporary
3 parking pass issued to a qualified person with a disability
4 under Sections 3-616, 11-1301.1, or 11-1301.2 or to a disabled
5 veteran under Section 3-609 is in violation of this Section if
6 (i) the person using the disability license plate, ~~or~~ parking
7 decal or device, or temporary parking pass is not the
8 authorized holder of the disability license plate, ~~or~~ parking
9 decal or device, or temporary parking pass, or is not
10 transporting the authorized holder of the disability license
11 plate, ~~or~~ parking decal or device, or temporary parking pass,
12 to or from the parking location and (ii) the person uses the
13 disability license plate, ~~or~~ parking decal or device, or
14 temporary parking pass, to exercise any privileges granted
15 through the disability license plate, the temporary parking
16 pass, or parking decals or devices under this Code.

17 (b) Any person or local authority owning or operating any
18 public or private offstreet parking facility may, after
19 notifying the police or sheriff's department, remove or cause
20 to be removed to the nearest garage or other place of safety
21 any vehicle parked within a stall or space reserved for use by
22 a person with disabilities which does not display person with
23 disabilities registration plates or a special decal or device
24 as required under this Section.

25 (c) Any person found guilty of violating the provisions of
26 subsection (a) shall be fined \$250 in addition to any costs or
27 charges connected with the removal or storage of any motor
28 vehicle authorized under this Section; but municipalities by
29 ordinance may impose a fine up to \$350 and shall display signs
30 indicating the fine imposed. If the amount of the fine is
31 subsequently changed, the municipality shall change the sign to
32 indicate the current amount of the fine. It shall not be a
33 defense to a charge under this Section that either the sign
34 posted pursuant to this Section or the intended accessible
35 parking place does not comply with the technical requirements
36 of Section 11-301, Department regulations, or local ordinance

1 if a reasonable person would be made aware by the sign or
2 notice on or near the parking place that the place is reserved
3 for a person with disabilities.

4 (c-1) Any person found guilty of violating the provisions
5 of subsection (a-1) shall be fined \$500 and may have his or her
6 driving privileges suspended or revoked by the Secretary of
7 State for a period of time determined by the Secretary of
8 State. The Secretary of State may also suspend or revoke the
9 disability license plates, ~~or~~ parking decal or device, or
10 temporary parking pass for a period of time determined by the
11 Secretary of State. The circuit clerk shall distribute \$250 of
12 the \$500 fine imposed on any person who is found guilty of or
13 pleads guilty to violating this Section, including any person
14 placed on court supervision for violating this Section, to the
15 law enforcement agency that issued the citation or made the
16 arrest. If more than one law enforcement agency is responsible
17 for issuing the citation or making the arrest, the \$250 shall
18 be shared equally.

19 (d) Local authorities shall impose fines as established in
20 subsections (c) and (c-1) for violations of this Section.

21 (e) As used in this Section, "authorized holder" means an
22 individual issued a disability license plate or temporary
23 parking pass under Section 3-616 of this Code, an individual
24 issued a parking decal or device under Section 11-1301.2 of
25 this Code, or an individual issued a disabled veteran's license
26 plate under Section 3-609 of this Code.

27 (Source: P.A. 94-619, eff. 1-1-06.)

28 (625 ILCS 5/11-1301.4) (from Ch. 95 1/2, par. 11-1301.4)
29 Sec. 11-1301.4. Reciprocal agreements with other
30 jurisdictions. The Secretary of State, or his designee, may
31 enter into agreements with other jurisdictions, including
32 foreign jurisdictions, on behalf of this State relating to the
33 extension of parking privileges by such jurisdictions to
34 permanently disabled residents of this State who display a
35 special license plate, ~~or~~ parking device, or temporary parking

1 pass that contains the International symbol of access on his or
2 her motor vehicle, and to recognize such plates, ~~or~~ devices, or
3 passes issued by such other jurisdictions. This State shall
4 grant the same parking privileges which are granted to disabled
5 residents of this State to any non-resident whose motor vehicle
6 is licensed in another state, district, territory or foreign
7 country if such vehicle displays the International symbol of
8 access or a distinguishing insignia on license plates, ~~a~~ ~~or~~
9 parking device or temporary parking pass issued in accordance
10 with the laws of the non-resident's state, district, territory
11 or foreign country.

12 (Source: P.A. 86-539.)

13 (625 ILCS 5/11-1301.5)

14 Sec. 11-1301.5. Fictitious or unlawfully altered
15 disability license plate, ~~or~~ parking decal or device, or
16 temporary parking pass.

17 (a) As used in this Section:

18 "Fictitious disability license plate, ~~or~~ parking decal or
19 device, or temporary parking pass" means any issued disability
20 license plate, ~~or~~ parking decal or device, or temporary parking
21 pass, or any license plate issued to a disabled veteran under
22 Section 3-609 of this Code, that has been issued by the
23 Secretary of State or an authorized unit of local government
24 that was issued based upon false information contained on the
25 required application.

26 "False information" means any incorrect or inaccurate
27 information concerning the name, date of birth, social security
28 number, driver's license number, physician certification, or
29 any other information required on the Persons with Disabilities
30 Certification for Plate or Parking Placard, on the Application
31 for Replacement Disability Parking Placard, or on the
32 application for license plates issued to disabled veterans
33 under Section 3-609 of this Code, that falsifies the content of
34 the application.

35 "Unlawfully altered disability license plate, ~~or~~ parking

1 permit or device, or temporary parking pass" means any
2 disability license plate or parking permit, ~~or~~ device, or
3 temporary parking pass, or any license plate issued to a
4 disabled veteran under Section 3-609 of this Code, issued by
5 the Secretary of State or an authorized unit of local
6 government that has been physically altered or changed in such
7 manner that false information appears on the license plate or
8 parking decal or device.

9 "Authorized holder" means an individual issued a
10 disability license plate or temporary parking pass under
11 Section 3-616 of this Code or an individual issued a parking
12 decal or device under Section 11-1301.2 of this Code, or an
13 individual issued a disabled veteran's license plate under
14 Section 3-609 of this Code.

15 (b) It is a violation of this Section for any person:

16 (1) to knowingly possess any fictitious or unlawfully
17 altered disability license plate, ~~or~~ parking decal or
18 device, or temporary parking pass;

19 (2) to knowingly issue or assist in the issuance of, by
20 the Secretary of State or unit of local government, any
21 fictitious disability license plate, ~~or~~ parking decal or
22 device, or temporary parking pass;

23 (3) to knowingly alter any disability license plate, ~~or~~
24 parking decal or device, or temporary parking pass;

25 (4) to knowingly manufacture, possess, transfer, or
26 provide any documentation used in the application process
27 whether real or fictitious, for the purpose of obtaining a
28 fictitious disability license plate, ~~or~~ parking decal or
29 device, or temporary parking pass;

30 (5) to knowingly provide any false information to the
31 Secretary of State or a unit of local government in order
32 to obtain a disability license plate, ~~or~~ parking decal or
33 device, or temporary parking pass; or

34 (6) to knowingly transfer a disability license plate or
35 parking decal or device for the purpose of exercising the
36 privileges granted to an authorized holder of a disability

1 license plate, ~~or~~ parking decal or device, or temporary
2 parking pass under this Code in the absence of the
3 authorized holder.

4 (c) Sentence.

5 (1) Any person convicted of a violation of paragraph
6 (1), (2), (3), (4), or (5) of subsection (b) of this
7 Section shall be guilty of a Class A misdemeanor and fined
8 not less than \$500 for a first offense and shall be guilty
9 of a Class 4 felony and fined not less than \$1,000 for a
10 second or subsequent offense. Any person convicted of a
11 violation of subdivision (b)(6) of this Section is guilty
12 of a Class A misdemeanor and shall be fined not less than
13 \$500 for a first offense and not less than \$1,000 for a
14 second or subsequent offense. The circuit clerk shall
15 distribute one-half of any fine imposed on any person who
16 is found guilty of or pleads guilty to violating this
17 Section, including any person placed on court supervision
18 for violating this Section, to the law enforcement agency
19 that issued the citation or made the arrest. If more than
20 one law enforcement agency is responsible for issuing the
21 citation or making the arrest, one-half of the fine imposed
22 shall be shared equally.

23 (2) Any person who commits a violation of this Section
24 may have his or her driving privileges suspended or revoked
25 by the Secretary of State for a period of time determined
26 by the Secretary of State. The Secretary of State may
27 suspend or revoke the parking decal or device, the
28 temporary parking pass, or the disability license plate of
29 any person who commits a violation of this Section.

30 (3) Any police officer may seize the parking decal or
31 device or temporary parking pass from any person who
32 commits a violation of this Section. Any police officer may
33 seize the disability license plate upon authorization from
34 the Secretary of State. Any police officer may request that
35 the Secretary of State revoke the parking decal or device, the
36 temporary parking pass, or the disability license plate

1 of any person who commits a violation of this Section.

2 (Source: P.A. 94-619, eff. 1-1-06.)

3 (625 ILCS 5/11-1301.6)

4 Sec. 11-1301.6. Fraudulent disability license plate, ~~or~~
5 parking decal or device, or temporary parking pass.

6 (a) As used in this Section:

7 "Fraudulent disability license plate, ~~or~~ parking decal
8 or device, or temporary parking pass" means any disability
9 license plate or parking decal or device, or temporary
10 parking pass that purports to be an official disability
11 license plate, ~~or~~ parking decal or device, or temporary
12 parking pass and that has not been issued by the Secretary
13 of State or an authorized unit of local government.

14 "Disability license plate, temporary parking pass, or
15 parking decal or device-making implement" means any
16 implement specially designed or primarily used in the
17 manufacture, assembly, or authentication of a disability
18 license plate, temporary parking pass, or parking decal or
19 device, or a license plate issued to a disabled veteran
20 under Section 3-609 of this Code, issued by the Secretary
21 of State or a unit of local government.

22 (b) It is a violation of this Section for any person:

23 (1) to knowingly possess any fraudulent disability
24 license plate, temporary parking pass, or parking decal;

25 (2) to knowingly possess without authority any
26 disability license plate, temporary parking pass, or
27 parking decal or device-making implement;

28 (3) to knowingly duplicate, manufacture, sell, or
29 transfer any fraudulent or stolen disability license
30 plate, temporary parking pass, or parking decal or device;

31 (4) to knowingly assist in the duplication,
32 manufacturing, selling, or transferring of any fraudulent,
33 stolen, or reported lost or damaged disability license
34 plate, temporary parking pass, or parking decal or device;
35 or

1 (5) to advertise or distribute a fraudulent disability
2 license plate, temporary parking pass, or parking decal or
3 device.

4 (c) Sentence.

5 (1) Any person convicted of a violation of this Section
6 shall be guilty of a Class A misdemeanor and fined not less
7 than \$1,000 for a first offense and shall be guilty of a
8 Class 4 felony and fined not less than \$2,000 for a second
9 or subsequent offense. The circuit clerk shall distribute
10 half of any fine imposed on any person who is found guilty
11 of or pleads guilty to violating this Section, including
12 any person placed on court supervision for violating this
13 Section, to the law enforcement agency that issued the
14 citation or made the arrest. If more than one law
15 enforcement agency is responsible for issuing the citation
16 or making the arrest, one-half of the fine imposed shall be
17 shared equally.

18 (2) Any person who commits a violation of this Section
19 may have his or her driving privileges suspended or revoked
20 by the Secretary of State for a period of time determined
21 by the Secretary of State.

22 (3) Any police officer may seize the parking decal or
23 device or the temporary parking pass from any person who
24 commits a violation of this Section. Any police officer may
25 seize the disability license plate upon authorization from
26 the Secretary of State. Any police officer may request that
27 the Secretary of State revoke the parking decal or device, the
28 temporary parking pass, or the disability license plate
29 of any person who commits a violation of this Section.

30 (Source: P.A. 94-619, eff. 1-1-06.)

31 Section 10. The Motor Fuel Sales Act is amended by changing
32 Section 2 as follows:

33 (815 ILCS 365/2) (from Ch. 121 1/2, par. 1502)

34 Sec. 2. Any attendant on duty at a service station

1 described in Section 1 shall, upon request, dispense motor fuel
2 for the driver of a car which is parked at a self-service
3 island and displays: (a) registration plates or a temporary
4 parking pass issued to a physically disabled person pursuant to
5 Section 3-616 of the Illinois Vehicle Code; or (b) registration
6 plates issued to a disabled veteran pursuant to Section 3-609
7 of such Code; or (c) a special decal or device issued pursuant
8 to Section 11-1301.2 of such Code; and shall only charge such
9 driver prices as offered to the general public for motor fuel
10 dispensed at the self-service island. However, such attendant
11 shall not be required to perform other services which are
12 offered at the full-service island.

13 (Source: P.A. 84-877.)